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UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA
SACRAMENTO DIVISION

In re:

DOROTHY BESSIE STILES,

Debtor.

Case No. 11-32700-D-7

DCN: SMD -1

DATE: August 17, 2011

TIME: 10:00 a.m.

LOCATION: 501 I Street, 6th Floor
Department D
Courtroom 34 (6th Floor)
Sacramento, CA 95814

TRUSTEE'S MOTION TO SELL PERSONAL PROPERTY OF THE ESTATE
(11 U.S.C. §363)

The undersigned, Susan M. Didriksen, the court appointed Chapter 7 Trustee (the "Trustee") in the above-captioned Bankruptcy estate of DOROTHY BESSIE STILES, (the "Debtor"), hereby requests that this Court approve the sale of the Bankruptcy's Estate's interest in the following personal property:

- 2000 Honda Accord EX

in an "as is" condition, net of any exemptions, to the Debtor for \$1,500.

In support of this motion, the undersigned Trustee respectfully represents the following:

1. The Debtors filed a voluntary Chapter 7 Bankruptcy Petition on or about May 20, 2011, and an Order for Relief was entered thereon.
2. Susan M. Didriksen was appointed as the Interim Chapter 7 Trustee on or about May 20, 2011, and continues to serve in that capacity.
3. The Court has jurisdiction over the current motion under 28 U.S.C. §§ 157(a) and 1334. This is a core proceeding under 28 U.S.C. section 157(b)(2)(A), (N) and (O).

1 4. The Debtor filed Schedule B on or about May 20, 2011, and disclosed personal property
2 described as follows:

- 3 • “2000 Honda Accord EX Sedan 4D, 4Cyl, VTEC 2.3 Liter, FRD, Automatic, VIN
4 #1HGCG6674YA083312, 70,995 Miles, fair condition” having a fair market value of \$4,500
5 (hereinafter referred to as the “Motor Vehicle”).

6 5. The Debtor’s Schedule “C” filed on or about May 20, 2011, claimed C.C.P. §704.010
7 monetary exemption pertaining to the Motor Vehicle in the amount of \$2,725.

8 6. The Debtor’s Schedule D filed on or about May 20, 2011, disclosed no indebtedness nor
9 obligations secured by the Motor Vehicle.

10 7. The Debtor, via her attorney, Paul Farley, has presented an offer in the amount of \$1,500
11 to purchase the aforementioned Motor Vehicle in an “as-is” condition from the Bankruptcy Estate.

12 8. The payment has already been made.

13 9. The undersigned Trustee believes that the immediate liquidation of the Subject Personal
14 Property is in the best interest of the Bankruptcy Estate. This proposed sale would also alleviate the
15 typical costs incurred with the sale of vehicles (i.e. smog check and smog certificate, auctioneer’s
16 commission, repairs, etc.) and any sales commission attendant to a sale. Therefore, the Trustee
17 requests the approval from this Court to sell the aforementioned Motor Vehicle to the Debtor for the
18 amount of \$1,500, subject to any overbids tendered at the Court hearing.

19 10. At the Court hearing, the Trustee will request that the Court solicits overbids. The
20 Trustee further requests that overbids, if any, be submitted in minimum increments of \$200.00 from
21 qualified bidders who must contact the Trustee at least twenty-four hours prior to this hearing. Any
22 successful over bidder must remit the full amount of the cash selling price to the Trustee within
23 twenty-four hours after the Court hearing is concluded.

24 WHEREFORE, the undersigned Trustee respectfully requests that this Court: A.) Approve the
25 sale of the aforementioned Motor Vehicle to the Debtor in the manner stated herein, B.) Provide
26 authority for the Trustee to execute all documents necessary to complete the contemplated sale; and,
C.) Provide for such other relief as the Court deems appropriate.

Respectfully submitted,

Dated: July 15, 2011

/s/ Susan M. Didriksen
Susan M. Didriksen, Chapter 7 Trustee